

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.)
)
ROUSECO, INC.,)
Defendant.)
)

JUDGMENT

No. 4:11-CV-35-F

Decision by Court.

IT IS ORDERED, ADJUDGED AND DECREED the government's Motion for Summary Judgment is DENIED. This matter is REMANDED to the agency for further proceedings, at which time all information included in FETRA mandated reports, even if belatedly filed, shall be considered, as well as any other information allowed by FETRA. The following motions are DENIED as moot: the government's Motion to Strike the defendant's Motion for Leave to File a Surreply; the defendant's Motion for the court to delay ruling on plaintiff's Motion to Strike; and the government's Motion to Stay Trial pending resolution of summary judgment.

This Judgment filed and entered on 3/18/13, with *electronic service* upon the following:

Daniel S. Schwei, U.S. Dept. Of Justice, Civil Division - *plaintiff's counsel*
Seth Morgan Wood, U.S. Attorney's Office - *plaintiff's counsel*
Jeremy M. Wilson, Ward and Smith, P.A. - *defendant's counsel*
Thomas Babel, Ward and Smith, P.A. - *defendant's counsel*

JULIE A. RICHARDS, CLERK

/s/ *Shelia D. Foell*

Deputy Clerk of Court